Mr. T. G. RAMA IYER.—Not at present.

Mr. H. M. CHANNABASAPPA.—What was the defect of the aided breeders' scheme which was tried during the time of Dr. Coleman?

Mr. T. G. RAMA IYER.—The defect was that it did not bring in the results expected of it.

Mr. H. M. CHANNABASAPPA.—Have any of the surrendered lands been given to the Forest Department?

Mr. T. G. RAMA IYER.—The actual disposal of the released lands is not in question.

The SECOND MEMBER (Rajamantra-pravina N. Madhava Rau).— Some lands might have been given to the Forest Department.

Mr. H. M. CHANNABASAPPA.—Have the raiyats petitioned Government that this should not be done?

Mr. N. MADHAVA RAU.—That is a question of forest policy and does not arise in connection with the question under discussion.

Mr. K. T. BHASHYAM AIYANGAR said that according to the programme of work for the session, there was only one day left, but this would not be enough for transacting all the business included in the agenda, particularly Resolutions. He therefore requested that the session be extended by at least one more day, so that sufficient time might be available for discussing the Resolutions.

The PRESIDENT replied that he had no objection to extending the session by a day as desired. He added that as special seating arrangements would have to be made for the University Convocation on the 6th morning and the seats re-arranged after the Convocation, the Assembly would meet at 1 p.m. on that day instead of at 12 Noon.

REPRESENTATIONS—*contd.*

No. 45.—Reduction in the rate of Court Fees.

Mr. Tudki RAMANNA GOWDA (Tirthahalli Taluk).

Mr. Tudki RAMANNA GOWDA represented that in view of the continued economic depression, the rates of levy on account of court fees on suits might be reduced from 10 per cent to 7½ per cent.

The FIRST MEMBER (Rajamantra-pravina S. P. Rajagopalachari) replied that this question was coming up for discussion at almost every session of the Representative Assembly and of the Legislative Council. But this was essentially a question of funds, and it was difficult to accept it as it would involve a loss of 4 lakhs of rupees per annum which Government could not afford to forgo in their present financial position. The existing rates were in force for the past 18 years and had not caused any hardship to the people. Already the rates were lower than those in force in the Madras Presidency by 2½ per cent and any further reduction would not be feasible.

Mr. K. T. BHASHYAM AIYANGAR pointed out that in Madras the fee charged for small cause suits was 7½ per cent and for the original suits 11¼ per cent. It was not so high as stated by the member. He requested that at least in the case of small cause suits up to Rs. 300, the rate be reduced to 7½ per cent, as 10 per cent was high in their case.

Mr. S. P. RAJAGOPALACHARI said that as against different rates for different kinds of suits in Madras, there was only one flat rate of 10 per cent in Mysore for all kinds of suits. After all, the number of small cause suits was small, and in such cases not much hardship was being experienced on account of the rate of fees. But if it was the desire of the House that the rate of fees in their case should be reduced, Government would have no objection to do so provided the House would not object to raising the fees in other cases to the level obtaining in the British Indian provinces. Government were quite willing to adopt either the Madras rates in their entirety or continue the rates as at present existing in the State.

Mr. K. T. BHASHYAM AIYANGAR said that the number of small cause cases was certainly very large. He was of the opinion that it would be best to levy the lower of the rates prevailing in Madras and Mysore. But as the Government felt some difficulty in doing so,

he suggested that to begin with, the rates might be reduced to 7½ per cent in respect of small cause cases and that when the financial position improved, the question of reducing the rates in respect of original suits might be taken up.

Mr. S. P. RAJAGOPALACHARI said that Government would consider the suggestion.

No. 46.—Reduction of institution fee in Civil Courts.

Messrs. Venkalpathi THIMMIAH and **Patel MALLAPPA** (Chitaldrug Taluk); **T. SHADAKSHARAPPA** and **D. SIVASANKARIAH** (Challakere Taluk); **K. KENCHAPPA** and **B. SITHARAMIAH** (Hiriyur Taluk); **GOWDA ESWARAPPA** of Dogganal and **GOWDA ESWARAPPA** (Holalkere Taluk); **Patel CHENNAPPA** and **GOWDA SIVAPPA** (Davangere Taluk); **Patti BASAPPA** and **KAMAREDDI MALLAPPA** (Molakalmuru Taluk); **J. S. MAHALINGAPPA** and **MALKAPPA** (Jagalur Taluk); **Alampalli NANJUNDA SETTY** and **P. S. DORASWAMI NAIDU** (Hosadurga Taluk); **BASAPPA** *alias* **ROGAPPA** (Harihar Sub-Taluk); **M. GURUSIDDAPPA** (Davangere Municipality); **S. RANGA RAO** (Chitaldrug Municipality); **MAHOMED USMAN SAHIB** (Harihar Municipality); **C. H. ABDUL RAZAK, SYED MOHIDEEN HUSSAIN** and **A. BHEEMAPPA NAIK** (Minorities).

The institution stamp fee of 10 per cent now in force in civil courts is too high for the raiyats. It is therefore prayed that the same may be reduced to 7½ per cent.

Not discussed. (*Same as Subject No. 45.*)

No 47.—Reduction in the rates and recovery of institution fees in two instalments.

Mr. H. A. DEVA GOWDA (Chikmagalur Taluk).

Mr. B. P. BASAPPA SETTY represented that the institution fees for filing suits be reduced to the old rates and that the amount of fees might be allowed to be paid in two instalments, one-half when the suit was filed and the other half when issues were framed. He hoped that no difficulty would be caused to the Government by adopting such a procedure. He also brought to notice that at present, even if refunds were ordered by the courts, the parties were not getting the benefit thereof, so that if the representation as above was accepted they would all be helped to a large extent.

The FIRST MEMBER (Rajamantrapravina S. P. Rajagopalachari) observed that this question also had been discussed in the House in the previous sessions. Government were never opposed to the principle underlying the representation. In fact, on the recommendation of the Laws Delays Committee, a bill was framed for the purpose. The general principles of the bill were also approved by the Assembly and the bill itself introduced in the Legislative Council. But when it was referred to the Select Committee, some of the members expressed the view that, even in the case of suits decreed *ex parte*, only half the fees should be levied. Government did not want *ex parte* decrees to be included in the operation of the bill since it would involve loss of revenue. So the bill was allowed to lapse. Even the Government of India was averse to amending the law in this respect as recommended by the Indian Taxation Enquiry Committee. Further, in reply to a question at the Representative Assembly Session of June 1933 whether a change would be introduced thereafter, an answer in the negative had been given. So the best course for the parties seemed to be first to pay the fees in full and then claim refund.

Mr. T. MARIYAPPA said that the sole reason why the proposal had been opposed in the past appeared to be that once a decree was obtained by a party, it would be difficult for the court to recover the other half of the fees from him. To some extent this might be true. And with a view to guarding against such a contingency in any case, he would suggest that payment of the second half of the fees should be insisted upon before the decree was drawn up, so that there might be no likelihood of Government losing any portion of the revenue.

Mr. S. P. RAJAGOPALACHARI said that once a case was disposed of, whether the decree was drawn up or not, the party might not care to pay the balance of fees. In fact, it would

not be so difficult for private parties to obtain refunds due from Government as it might be for Government to recover dues from such parties. The chances of recovery would be very remote particularly in the case of *ex parte* dismissals.

Mr. G. MALLANNA requested that it must be made impossible for lawyers to appropriate for themselves any monies due to the parties.

Mr. S. RANGARAMIAH agreed with the Member that there would be difficulties in respect of *ex parte* cases. And if in any case, a compromise was arrived at by the parties privately, the Government could not recover the court fees, just as the lawyers could not collect their own fees.

Mr. G. MALLANNA suggested that arrangements should be made to send all refund amounts direct to the parties by cheque.

At this stage the Dewan-President left the House on account of other business, and the First Member of Council (Rajamantrapravina S. P. Rajagopalachari) took the Chair.

No. 48.—Refund of half of the court fee on second appeals.

Mr. K. T. BHASHYAM AIYANGAR (Special Interests).

Mr. K. T. BHASHYAM AIYANGAR represented that in what were known as second appeals, *i.e.*, cases going up before the High Court after decisions were given by the concerned District Judges in first appeals, the appellants were required to pay the court fees in full on the basis of the relief claimed. In such cases if a concurrent decision was recorded with regard to the facts of the case and if no point of law was involved, the appeals would be rejected by the Admission Bench under Section 100 of the Civil Procedure Code. If in the preliminary stage itself a case was rejected—without even notices being issued to the opposite party—and if there was no discussion on merits, there would be no justification to levy the full fees. The representation which the speaker was moving was to the effect that in such cases, half the court-fee might be recovered. The parties would have paid full fees in the first two stages and it was but just that in the case of second appeals, they should be shown the concession prayed for. But as this would require the amendment of the existing law, the present representation was brought before the House.

The FIRST MEMBER (Rajamantrapravina S. P. Rajagopalachari) said that as stated by the mover, this would require the amendment of Section 17 (*a*) of the Civil Court Act. The question for consideration was whether such amendment was really called for. Speaking on the merits of the case, he did not think that it was called for. In the Madras Presidency, even in consent decrees no concession with regard to court fees was being shown as in the Mysore State. It was argued by the mover that in the case of rejected second appeals, this concession should be shown, the reason being that notices would not have been issued to the other side and the merits not gone into. But it must be remembered that even before rejecting the appeal the judges should go through the entire records. This involved some time and work for the officers of the department. There would be no justification in asking for refunds in cases which even on merits were not considered fit to be taken up in appeal. If a refund was granted, every one would go up to the High Court with second appeals. That would encourage litigation and add to congestion of work in courts without corresponding relief to any one. Besides, refund in all such cases would also result in considerable loss of revenue to Government. For all these reasons Government could not see their way to accept the suggestion contained in this representation.

Mr. A. N. RAMA RAO said that unless points of law were involved, the parties would not go up to the High Court in second appeal. Secondly, even if no point of law was involved, points of fact might be involved. So, rejection might not be fully justified. Second appeals would be preferred only when the points of law or points of fact were not fully discussed in the lower court.

For instance, a question of limitation might have been raised in connection with the first appeal, but not entertained or gone into in detail by the court. Or, even if the question was gone into, the court might not have specifically condoned the delay. In all such cases, there would be difficulty caused to parties by second appeals not being entertained. So, he thought it was necessary to accept the representation and amend the law suitably.

Mr. M. LAKSHMINARAYANA RAO did not agree with the First Member of Council that the concession prayed for, if allowed, would encourage litigation. This statement if taken too seriously might mean that under no circumstances should second appeals be entertained at all. He was aware that in many instances, parties had succeeded in second appeals. But it did not mean that in the first appeals the parties would not get justice at all. All that he wanted was that every one must have the option to go to the High Court in second appeals.

Mr. S. P. RAJAGOPALACHARI said that there was no idea of preventing anybody from going to the High Court in second appeals, if only he was prepared to pay the prescribed fees. But the question under discussion was about concessions. If a party went to the High Court in second appeal and succeeded, there might be some justification for him to ask for any concession. But it would not be proper for anybody to suggest that even in hopeless cases, concession should be shown.

Mr. M. LAKSHMINARAYANA RAO said that success or failure should never form the basis for deciding whether or not a refund should be given so long as the reasons which weighed with the judges in rejecting an appeal need not be given in detail at the time of passing their order.

Mr. L. VEMA REDDY, in supporting the representation, said that no one would go to the High Court in second appeal unless he believed that he had a strong case, and that anybody should have the option of doing so whenever he considered it necessary. A party might lose his case in the original court or in the court of first appeal or in both the courts. He would have paid court fees and lawyer's fees in both the courts and also incurred many other items of expenditure, but not derived any benefit for all his trouble and expense. It was only in such cases that he would think of going to the High Court in appeal. If even the High Court rejected such appeals, it would be no consolation to the appellants and there would be no justification to levy the court fees in full in such cases.

Mr. K. VENKATARAMIAH was opposed to the representation. He said that according to the mover, there was no justification in levying the full fees in cases where the merits were not discussed. But the speaker was of the opinion that the discussion or non-discussion of the merits would not be a safe basis for deciding whether the full fees should be levied or not. The judges might be prepared to discuss the merits in all cases, including those in which the appellant had no chances of relief, instead of rejecting the appeal straightway. But this would mean that the party would have to incur yet other items of expenditure on account of printing of records, etc., though he would be none the better for it. In such obvious cases, therefore, it was in the interests of the appellant himself that the merits were not gone into. It might be that lawyers would be glad if this representation was accepted by Government, but the poorer section of the litigant public was sure to be affected adversely.

Mr. S. P. RAJAGOPALACHARI said that refund of half the court fee was bound to result in increased litigation.

In reply to the observations of Mr. K. Venkataramiah, **Mr. G. RAJAGOPALACHAR** said that the question of expenditure involved in going to the High Court in appeal was mainly the concern of the party concerned. When an appeal was rejected, it was only right that half the fee should be refunded.

Mr. S. C. MALLIAH suggested that the High Court's opinion might be

called for on this question and the same considered by the Government.

Mr. K. T. BHASHYAM AIYANGAR said that if Government themselves were not willing to concede the point, they might at least consult the High Court, having regard to the volume of opinion expressed on the floor of the House.

No. 49.—Amendment of the Hindu Law.

Mr. K. T. BHASHYAM AIYANGAR (Special Interest)

Mr. K. T. BHASHYAM AIYANGAR represented that with a view to giving better rights to Hindu women, Government had appointed a committee some years ago and on their recommendation, the legislature had placed on the Statute Book the Hindu Women's Rights Act. In support of this representation, he stated that generally speaking women in Hindu families had no property rights in the past. But, thanks to the joint family system, they were not stranded on that account because they were being maintained by the male members of the family. But even after the joint family system broke up, they were not entitled to any share in the family property and so their position became precarious. That was why when the Hindu Law Amendment Bill was drafted, provision was made therein to the effect that in a partition of the joint family property, certain specified members should be eligible or entitled to a share of the joint family property. It looked as though that amendment of the Act would effectively put an end to all inequalities. But recently, in a particular undivided family, a member died but the wife of the deceased, who by virtue of the said amendment thought she was entitled to a share, was not given any help by the surviving members of the family. The lady sought relief at the hands of the court for a share of the property, but the High Court decided on 2nd February 1938, that no share could be assigned to her on the ground that unless and until there was a partition in the family at the instance of the male co-parceners, women could not claim partition. This was not the intention of the framers of the bill, as could be seen from the fact that the right given to women was subject to only two conditions, *viz.*, that no daughter could sue her father and no wife should sue her husband and claim partition. If it was their intention that no woman member of a joint family should claim partition at her own instance under any circumstances, they would have proposed a third restriction to that effect. And yet, the High Court passed a decision as stated, and this was reported in 16 Mysore Law Journal, Page 273. The effect of that decision was that when a person died, even though his wife and children got no maintenance, they would get no share in the family property, and the widow could not claim partition until there was a partition at the instance of some male member of the family. This was a contingency which the authors of the bill had not contemplated. The object of the Hindu Law Women's Rights Act was being frustrated on account of the inclusion of the term 'at a partition' in the Act. It was therefore desirable to amend the Act so as to remove the restriction now imposed in the way of women claiming partition at their own instance.

Mr. Bhupalam R. CHANDRASEKHARAIYA was not in favour of the representation. He feared that if women were allowed to claim partition whenever they chose, the joint family system was sure to crumble to pieces. In explaining his case, he quoted the following instance. Supposing in a joint family there were 10 brothers and one of them died, the widow of the deceased would immediately claim her share of the property. That would necessitate a partition of the property being effected even though all the nine living brothers preferred to continue as members of a joint family, and in this sense the consequences would be undesirable. The member then went on to argue that only recently the Religious and Caste Disabilities Removal Act had been enacted, and it was not known how far that might affect Hindu Society. And if, after partition, a woman got herself converted to another

religion, the property assigned to her would be lost to the family. On both these considerations, he was not in favour of the representation. He would suggest that the requirements of the case could as well be met by laying down that till the time of partition at the instance of a male member of the family, widows ought to be given maintenance by the male members.

Mr. S. RANGARAMIAH supported the representation. He said he had known of an instance where on the death of one of the three brothers in a joint family, the widow of the deceased was left uncared for by the other two brothers. When she sued for a share, the defence was put in that she was not eligible for any share as there was no partition among the brothers. Even for maintenance she could not sue as, in the meanwhile, the brothers had incurred heavy debts and alienated all properties, with the result that the woman was left absolutely helpless. It might be that a woman would always be interested in her father's family and if, unfortunately, her husband died, she would cease to have any interest in her husband's family. It was probably with a view to prevent a woman from going away to her parent's house along with properties inherited from her husband, the present restriction, *viz.*, that she could claim a share only at the time of partition at the instance of male co-parceners, seemed to have been imposed. But it caused hardship in many cases like the one already referred to. And there was another provision to the effect that if there was a step-son, the step-mother could not sue him for partition. In these ways, some rights were being denied to women. He therefore pressed that the law be amended so as to give every necessary relief to Hindu women.

Mr. G. MALLANNA was of the opinion that the present law was quite all right and did not require any amendment as proposed. The decision of the High Court which was referred to by the mover was quite in consonance with the existing law. Hindu families generally preferred to remain intact, and no scope should be given for them to disintegrate. In most cases, members of joint Hindu families were maintaining the widows of their deceased cousins. It must be admitted that, in some rare cases, such widows were being left helpless, but generally speaking, the evil was not widespread. And if women were enabled to claim their share of the joint family property, the time-honoured joint family institution would crumble within a very short time. Some women might be induced by interested parties to claim partition and get away from the families with whatever they could secure. The Hindu Law Reform Committee must have discussed all these points before coming to the wise decision that women could claim a share of the property only at the time of partition at the instance of the male co-parceners. In these circumstances, he thought that it would be best to leave the law as it was. In the meanwhile, as suggested by an earlier speaker, he agreed that widows ought to be given a suitable maintenance by the male members of the joint family.

Mr. P. SITHARAMAIYA said that the amendment proposed was a very wholesome improvement. The members who had supported the existing state of affairs had done so on the ground that the joint family institution should be preserved. But the amendment proposed would never be inconsistent with that ideal because, normally, women would never be the cause of a split in any joint family provided the male members thereof took proper care of them. They would claim partition only if they were subjected to needless pinpricks and hardships. So long as women were not protected from such pinpricks and hardships, it would virtually amount to saying that they were not entitled to any share of the family property if they were not empowered to claim partition. That was not the object of the Act at all. According to it, women had a right to property and every facility must be given to them to exercise that right. If they should wait till the time of partition to be effected at the instance of the male co-parceners, it might so happen that there would be no partition at all and consequently they would for ever remain unprotected and uncared for.

That would mean a very unsatisfactory provision and it was certainly desirable to amend the law as prayed for especially because, when a right was created in favour of women, the means whereby that right was to be exercised should also be created.

Lokasevaniratha Bale SIDDALINGA SETTY was of the opinion that the present law was quite all right and did not need any modification. Serious consequences were sure to ensue if the law was amended as suggested. It would tempt mischief-mongers to set up women to press for partition and then break off from the family with such property as they could secure. If such a thing happened, not only would the family lose the property, but the woman might be misled by evil advisers and she might bring a bad name to the family as a whole. For this reason, he was of opinion that women should not be given the right to sue for partition. If they did not like to live with the other members of the family, they might claim maintenance. That would be the safest course to follow.

Mr. K. VENKATARAMIAH said that if the law was amended as proposed, litigation would increase. This was one reason why the amendment should not be accepted. Secondly, while lawyers might get more income and the Government also more revenue as a result of increase of litigation, it would make for the disintegration of the time-honoured joint family institution. Even the richest families would be reduced to penury after a few partitions. And if every woman member of a family were to be given the right to sue for partition, the end of the joint family system would be hastened beyond doubt. Women were not always strong in mind and were prone to fall a prey to the machinations of wily people interested in bringing about a split in the family to gain their own ends. Such a thing, he said, ought never to be encouraged.

Mr. Y. V. MUNISWAMI IYER said that a joint family was something like a co-operative institution and that any attempt at breaking such a useful institution should be discouraged.

Srimathi SAKAMMA, in supporting the representation, stated that the Hindu Law was amended with the laudable object of giving certain property rights to women where none existed. She had hoped that with the march of time, men would become more liberal-minded and come forward to provide proper facilities for women to exercise those rights, but unfortunately the trend of discussions in the House seemed to show that the position was otherwise. She requested the members of the House to view the question in a generous and liberal spirit and with a special measure of sympathy for the unfortunate widows. They might receive no help even from their parents and if for such reasons they were left uncared for by the surviving members of the husband's family, their lot would be indeed miserable. Instances were many wherein, after the death of the husband, the widow was ill-treated and actually driven out of the house without any maintenance being given. The benevolent object of the reformers of the law was being frustrated as a result of the restriction at present in force. With a view to enable women to live in peace and honour, she requested the House to wholeheartedly support the representation.

Mr. B. DONDE GOWDA said that it was no doubt their duty to maintain and protect women. According to *shastras*, women were expected to be under the protection of their parents till their marriage, of their husbands during middle age and of their sons during old age. That was a wholesome rule. If the law was amended as proposed in the representation, it was bound to result in serious consequences, and he quoted the following instance in support of this statement. About a year ago, the husband of a young girl of fifteen died in his village. The Sub-Division Officer concerned transferred the *khata* of the lands of the deceased to the name of the young widow. She then went away to her parents' house and now she was trying to sell away the property. Such things would become very common if the law was amended as proposed. Besides, there was a possibility of women going astray if they were to become sole owners of properties.

Again, women generally did not like to be burdened with any liabilities such as taking over part of the family debt, if any, and so, their claim for partition should not be supported.

Mr. C. N. NARASINGA RAO said that when the Hindu Law as regards the Rights of Women was amended, everyone had hoped that women in Mysore were going to be blessed with a boon which none of their *confreres* in the rest of India were enjoying. But the decision of the High Court had shattered all such hopes. It was a commonly accepted principle that whenever a right was created, the means for securing the same should also be defined. But in the present case, there was the right without the means. That was why the amendment under discussion was proposed. But he was surprised that anybody should have opposed it and still more surprised at the arguments advanced in favour of their position. The contention of the oppositionists seemed to be that women should not find it too easy to get away from the home of the deceased husband with any share of the family property. But he would ask how far that object could be justified by the law even as it stood at present. Nothing prevented them from separating themselves from the husband's family after partition was effected at the instance of a male co-parcener. Thus there was no force in the argument adduced by the oppositionists to justify the stand which they took.

As regards the merits of the question at issue, it was certain that the object of the Act would be frustrated by the interpretation of the High Court. And unless it underwent a liberal revision, the Act would always remain a dead letter and would serve no useful purpose except perhaps to make the outside world think that Mysore had gone much farther than all the rest of India. If this was the only object of Government, the law might continue to stand as at present. But if, on the other hand, they were really actuated by nobler instincts like affording a much-needed relief to women, they ought to accept the representation unhesitatingly and proceed to amend the law accordingly.

Mr. B. L. BYANNA said that the interpretation of the High Court was quite just and understandable. If women were given the right to sue for partition, it was certain to adversely affect the best interests of Hindu joint families.

Mr. S. C. MALLIAH said that while he wholeheartedly supported the view that women should be given a share in the joint family property, the amendment as proposed would be detrimental to the very interests of joint families. The safety of Hindu joint families was any day more important than that of the individuals composing them. This was also the consideration which had weighed with the committee and that was why the present restriction was proposed and adopted. If the law was amended as proposed and women were given the right to demand partition, the joint family system would become extinct in a short time. So the just and proper course to take would be to legislate that widows in the Hindu joint family should be provided with suitable maintenance.

The FIRST MEMBER (Rajamantrapravina S. P. Rajagopalachari) said that both sides of the question had been discussed in sufficient detail and the House might perhaps like to know the view of the Government thereon. At the outset he would say that this was essentially a legal question and should therefore be discussed with a certain amount of care and caution. But unfortunately, during the course of the discussion, feelings had run high and there seemed to be a serious difference of opinion on the question. It was no exaggeration to say that the Hindu Law Amendment Act, which was passed in the Mysore State in the year 1933, was the first enactment of its kind in the whole of India. This was, as stated already, a purely legal question, and if the House were to take it into its head to discuss every decision of the High Court and recommend to Government an amendment of the concerned law, then the House could perhaps do no other work and it might also lead to many practical difficulties. The Hindu Law Amendment Act was quite a recent

piece of legislation and it was necessary that some more experience of its working must be gained before any amendments to it were thought of. If cases of the type now under discussion came up in large numbers, the High Court themselves might possibly consider whether the law should not be modified. To amend a law because of some grievance in one solitary case would not be a wise course for the Government to adopt.

Referring to the remark made by the mover that the very object of the Act had been frustrated by one particular decision of the High Court referred to,

Mr. S. P. RAJAGOPALACHARI said that he had been intimately connected with the Act in all its stages so that he knew its details well enough. Section 8 of the Act was the outcome of one of the recommendations of the Committee. The mover of the representation was also a member of the Committee and he must also be well aware of that. On page 104 of the Committee's report, they had stated :—

"If the sons chose to remain undivided, they had a right to do so. The women of the family could never compel a division and were entitled to no more than a maintenance. This is still the law universally where the father leaves male issues But where he leaves no male issue, there is no marked difference between the law of the *Mitakshara* and that of the *Dayabhaga*. Under the former system, females never succeeded to the share of an undivided member so long as there are male co-parceners in existence . . . ."

The Committee proceeded to say at page 109 as follows :—

"Coming to our own recommendations in the matter, it does not seem possible now to restore the ancient practice to its full extent. The right to have specific shares allotted at a partition has necessarily to be confined to a few females only and the extent of the shares permissible to each has also to be circumscribed to some extent."

And in the bill it was therefore stated that the widow, the mother, the unmarried daughter, and the unmarried sister, shall be entitled to shares at a partition. The Government had advisedly put in the words "at a partition" after ascertaining the opinions of the High Court. This was what one Judge of the High Court had stated :—

"It is argued that sub-clause 1 as it stands, as framed by the Committee, is capable of being construed as meaning that women can compel a partition even when the male members do not agree to it. And there is eminent authority in support of this construction. As the Committee's report shows that such right is not contemplated under the clause, it is very necessary to make this point clear."

From the above opinion of the High Court—which was adopted at the time of framing the bill—it was clear that the decision of the High Court was not inconsistent with the law on the question.

Mr. K. T. BHASHYAM AIYANGAR enquired what the opinion of the Committee was on this point, as ascertainable from the proviso to sub-clause 1 as proposed by them.

Mr. S. P. RAJAGOPALACHARI replied that he was throughout speaking of the sub-clause including the proviso. But the main point was that women never had a right to ask for partition and there was no idea of giving them that right though, at the time of partition at the instance of male co-parceners, they could claim their share.

It might be argued by Mr. Bhashyam Aiyangar that that view was not correct, that women must be given the right to claim partition and that the law should be amended accordingly. He was quite at liberty to press such a view. But that would be altogether different from saying that the judgment of the High Court was not in consonance with the law as it stood.

This same question had also come up for discussion at the Select Committee stage. In that connection, and as Chairman of the Committee, the speaker had explained to the members that women should not have the power to compel a partition, and the Committee were ultimately agreed in that view. And Government, too, did not want to go far beyond the recommendations of the Select Committee. So it would not be correct to say that the High Court had given a new interpretation to the law on this point. If at all, they had merely confirmed their previous opinion. After all, the cases involving this point and coming up before the High Court were not many, and to amend the law in view of the decision in one single case would not be a wise step for any Government to take.

Mr. K. T. BHASHYAM AIYANGAR said that the proviso clearly stated

that only in two instances could women not file a suit for partition, and they could do so in all other cases. So, with great respect to the High Court, he was definitely of the opinion that the decision under reference was wrong.

Mr. S. P. RAJAGOPALACHARI observed that the question whether a decision of the High Court was right or wrong was not at issue at all. The member might have his own opinion and the Government their own. The opinion of Government was that the High Court were quite right. The House was at present concerned only with the desirability or otherwise of amending a particular law. The Committee on Women's Rights had thought over the question well and recommended reforms to a certain extent and subject to certain restrictions; the High Court had suggested those restrictions, and Government had accepted them; thereafter a bill was placed before the Houses of Legislature; it was passed after full discussion, and only recently. For all these reasons, he was of opinion that there was no need to amend the Act as suggested, just at present.

No. 50.—Amendment to Section 53 of the Mysore Insolvency Act.

Mr. L. SIDDAPPA (Channagiri Taluk).

Mr. L. SIDDAPPA prayed that Section 53 of the Mysore Insolvency Act be amended so as to conform to the provisions of Section 53 of the Provincial Insolvency Act of British India and that a fresh section on the lines of Section 59 (*a*) of the Act may be inserted in the Mysore Act.

The FIRST MEMBER (Rajamantrapravina S. P. Rajagopalachari) replied that the High Court, who were consulted, were agreeable to action being taken as suggested and that therefore Government would take needful further action.

No. 51.—Appointing Upparas in the Gazetted ranks.

Mr. A. THAMMIAH (Minorities).

Mr. A. THAMMIAH pleaded, that it was rare to find educated men among the Uppara community which had a population of about two lakhs. In spite of it, the very few educated men now available were not given appointments in Government service. He requested that educated men of the said community be appointed in the gazetted ranks of Government service.

The FIRST MEMBER (Rajamantrapravina S. P. Rajagopalachari) replied that Government would consider the representation if educated men of the community were forthcoming.

No. 52.—Higher appointments for members belonging to the Depressed Classes.

Mr. M. MADIAH (Minorities).

Mr. M. MADIAH represented that members belonging to the Depressed Classes were not receiving sufficient encouragement as graduates among them were being appointed to very small posts in service. This community, which formed one-sixth of the total population in the State, had only one officer in grade Rs. 100 to Rs. 200. He therefore prayed that they be promoted to the higher posts in all departments.

The CHIEF SECRETARY to GOVERNMENT (Mr. B. T. Kesavaiengar) replied that it was the object of the Government to encourage members of the Depressed Classes as far as possible.

No. 53.—Uniformity of text-books in all Middle and High Schools in the State.

Mr. K. RAMANNA (Holenarsipur Municipality) and all the other members of Hassan District.

Mr. K. RAMANNA represented that there was no uniformity of text-books in the schools in the State. It was very desirable that the same text-books on each subject were used in all the middle and high schools in the State, so that if a student happened to leave one school and seek admission to another school in the middle of any year, he would not have to purchase a new set of books as at present. Each Headmaster was prescribing the text-books which he liked. This was due to the fact that all those who wrote books influenced members of the Text-Book Committee and got their own books prescribed as alternative text-books, so that Headmasters were at liberty to select

any of them for use in their respective schools. The difficulty apparently was aggravated by the circumstance that even in one and the same school, text-books were being changed each year, so that no book could be made use of for more than one year. Formerly when an younger brother came up by promotion to a class in which his elder brother was studying in the previous year, the former could make use of all the text-books which had been used by the latter so far. But that was no longer the case now and the parent was put to the necessity of having to purchase a fresh set of books for each of his children every year. The members of the Text-Book Committee evidently did not realise the difficulties of the poor parents. The non-availability of prescribed books was yet another source of difficulty. For example, recently they had prescribed a new text-book on Geography, but a sufficient number of copies of the book had not been supplied to the depots. Only a limited number had been supplied and most copies had been sold out. But the demand was still there so that the price of the few available copies had been put up, in view of the heavy demand. Sometimes, the teachers took their pupils to task for not having purchased books so that the poor parents had to purchase them at any cost. Thus, copies of the book in question, which at first sold at 12 annas each had sometimes to be purchased at Rs. 1-4-0 or even Rs. 1-8-0. In these circumstances the member requested that Government should issue instructions to the effect that throughout the State, there should be only one kind of text-book on each subject in all the classes of the same grade and that the text-books once prescribed should not be changed for at least five years.

The FIRST MEMBER (Rajamantrapravina S. P. Rajagopalachari) enquired if the member was referring to all text-books or to any particular text-book.

Mr. K. RAMANNA replied that he was referring to all text-books.

Mr. S. P. RAJAGOPALACHARI then stated that text-books with the exception of those relating to English were changed only once in three or four years.

Mr. A. VENKATESIAH supported the representation. He added that this question had been discussed by the University Senate also in connection with a resolution tabled by the speaker himself. At the end of that discussion it was agreed unanimously that teachers in the High School and University classes should be invited to write suitable text-books on all subjects as far as possible and dealing primarily on subjects of local interest and also questions of topical importance. He then brought to notice that in Madras the educational authorities had passed a rule to the effect that text-books should be changed only once in five years, in both primary and middle schools. If in Mysore also a similar rule was passed, it would mean considerable help to both pupils and parents. The University had appointed a committee to induce local men to write text-books. If similarly the Text-Book Committee also tried to get books written and such of these as were deserving of being prescribed as text-books were selected, there would be no difficulty. It was not necessary that the authors should be men in the Education Department alone. The speaker agreed that the complaint of non-availability of the text-book on Geography was genuine, and the Text-Book Committee should see that a sufficient number of copies of all the prescribed books were made available. He also agreed that the suggestion that text-books should not be changed for at least five years was worthy of acceptance.

Mr. TIPPU SULTAN ALI KHAN observed that under the existing system of education, text-books used by one set of pupils of any class would be of no use to anybody else, as there was a change of text-books every year. Formerly, however, that was not the case. So under the present system, it was difficult for parents to keep their children at school. Secondly, pupils in primary classes were formerly made to do all writing on slates. But under the present system, even in primary classes, all writing was necessarily to be on paper, and sheets of paper once written

upon could be of no further use. Poor parents were finding it increasingly difficult to meet all the demands from their school-going children. In the interests of all such parents he earnestly requested Government to discourage wasteful methods and to do everything they could to enable children of even the poorest subjects of His Highness the Maharaja to enjoy the blessings of education.

Mr. S. P. RAJAGOPALACHARI stated that the Text-Book Committee was prescribing as text-books only such books as were worthy of the distinction. Being the higher authority it published the lists, but the Head of each school selected from it the particular books for use therein. This was how different schools in one and the same place happened to follow different books. It was the object of the department to throw open a vast scope for selection, and not merely to distribute patronage over as large a number of authors as possible. From the latter point of view, therefore, it did not seem desirable for the department to issue circular instructions to the effect that only particular books should be used as text-books for any given class in all schools throughout the State.

The DIRECTOR of PUBLIC INSTRUCTION (Mr. M. Sultan Mohiyud-din), in replying to the debate, said that he was sorry to note that there was a considerable amount of misunderstanding in regard to this question. It was not true, he said, that text-books were changed every year, because there was a rule in force in the department that books once prescribed must continue for at least three years and that rule was being followed rigidly. In some subjects, such as History, Geography, and Mathematics, not only was the three-year rule strictly followed, but the same text-books continued to be prescribed for five, ten and even more years. The department had always taken the view that text-books should not be changed too frequently, and the speaker felt personally that in certain cases the text-books were so long continued that the department was open to the charge of being too conservative in the matter of text-books. The point to be borne in mind in this connection was that the scope and methods of teaching the various subjects were undergoing change in the light of practical experience and new books were coming out every year. The pupils stood to benefit, by more modern books and the teachers also with the aid of such books could handle school subjects with greater zest and effectiveness.

So much for non-language subjects. As regards English, the same rule applied so far as students not directly preparing for a public examination were concerned. For examination-preparing classes, however, text-books in English and Vernaculars were changed every year, for obvious reasons. In the former cases, alternative sets of books were prescribed because there were quite a large number of very good series of text-books available and there was a wide range of variety in respect of contents and methods of treatment. It was considered desirable that Headmasters should select from the approved list text-books with reference to the suitability of the contents to the local environment and the personal experiences of pupils. For instance, schools in rural areas would benefit more by text-books dealing with topics largely of rural interest and therefore directly related to pupils' lives. Similar was the case with schools in urban areas in which text-books dealing with topics of urban interest were likely to appeal to the pupils. In order to give Headmasters some discretion in the matter of selection of text-books, alternative text-books were prescribed and the department was never at a loss in finding suitable text-books because any number of text-books—each excelling the others in some special respect—were coming into the market every year.

As regards Kannada, Urdu, etc., change was not frequent. Even in the case of English, once a series of text-books was prescribed, it would continue for three years, without any change whatever. It must be added that in some cases, books once prescribed continued to be used even beyond three years when better books could not be found.

The question of patronage did not weigh much with the department. Although local publishers often pressed it, that was a matter of least importance to the department. It thought primarily of the educational interests of the pupils.

In conclusion, he wished to assure the House that the department did not change text-books in non-language subjects even once in three years. On the other hand, there were certain subjects in which the department had arranged for publication of text-books, and such text-books were in many cases continued indefinitely, making for staleness in teaching. So it would not be correct to say that text-books were being changed every year, that students were undergoing hardship and that parents were being unduly taxed. He thought that all the statements made so far to that effect were a misrepresentation of the actual position in regard to prescription of text-books.

Mr. A. VENKATESIAH rose to a point of order and urged that the expression "misrepresentation" should be withdrawn. There were 18 children in the speaker's house and with all the experience gained in the course of buying text-books for all of them from time to time, he was definitely in a position to say that all the complaints so far brought to notice in connection with this representation were both genuine and universal. Even on the very day this question was being discussed, there were as many as four series of books on certain subjects which students had been compelled to go in for.

Mr. M. SULTAN MOHIYUDDIN remarked that this might be true to some extent in the case of English but not so with reference to non-language subjects.

Mr. A. VENKATESIAH repeated that it was so with Geography too, and added that he could be trusted to know the facts well since he was actually paying for different books from time to time.

Mr. S. P. RAJAGOPALACHARI observed that for the present the House might accept the Director's statement.

Mr. S. RANGARAMIAH remarked that the officiating Director had apparently not had time to visit many schools and was perhaps not in full possession of the state of affairs therein.

Mr. Rayara KEMPANNA represented that for providing a boy or a girl with a mere slate and slate-pencil, a raiyat would have to spend full three days' earning. When the position of parents in rural areas was so poor as that, no elaborate description appeared necessary of how the parents would be affected by frequent change of text-books.

Mr. M. SULTAN MOHIYUDDIN said he would welcome from members specific information relating to frequent changes of text-books by Headmasters.

Mr. S. RANGARAMIAH offered to place the necessary materials before the Director. But before doing so, he would also express his protest against the characterisation by the Director of statements made by members of the House in connection with this matter, as "misrepresentations." He then stated that the text-books in use in certain schools in the City of Mysore were quite different from those in use in other schools of the same grade in the same city, and mentioned, as instances, certain books at present in use in three schools—Lakshmipuram Middle School, Dalvoy School, and Halladakeri Middle School.

Mr. S. P. RAJAGOPALACHARI stated that the position had been explained by the Head of the Department and Government noted the opinion of some of the members of the House that the state of affairs was different. So far as Government were concerned, as already stated, they would, for the present, go by the statement of the Director without at the same time discounting any of the statements made by the members. It was possible that the Director was referring to one aspect of the question at issue, while the members were referring to another aspect of it. Having said this he also added that Government were convinced that there was a widespread grievance in the matter of text-books and that a remedy was called for. And so far as this aspect was concerned, the Director had already assured the House that text-books

in non-English subjects were not being changed frequently. If in spite of that assurance, members felt that a change was being effected too frequently, Government would examine the question with reference to the wishes of the House. In English, however, fresh and suitable books were constantly coming in in large numbers, and this, he thought, was a sufficient reason for frequently changing them. In view of the discussions which had so far taken place, Government would review the position and if it was found that the intentions of the Department as explained by the Director were not being fulfilled in practice, they would take needful action to remedy the state of affairs.

Mr. T. MARIYAPPA suggested that there was nothing to be found fault with so far as intentions were concerned. The difference of opinion only centred round the point whether or not those intentions were being fulfilled. And in view of the discussion it might serve the purpose in view if Government issued circular instructions that text-books should not be changed too frequently.

Mr. S. P. RAJAGOPALACHARI replied that there was not much difference of opinion between the Department and the Assembly on this question. The Director had clearly explained the policy and intentions of the department. He would himself examine how far these intentions were being followed in practice, and if there was any defect or difficulty in giving effect to them, he would himself take all necessary action. In the meanwhile, Government also would issue needful instructions as desired by the House.

Mr. P. SITHARAMIAH said that the main cause of difficulty caused by the present system was that although unapproved books could not be followed in any school, yet each school was given the option of selecting any text-book out of a list which provided for a number of alternatives. As a result of such an arrangement, one and the same school would prescribe different books in different years. In this sense, it was a fact that text-books—including those on English—were, being changed too frequently, notwithstanding the assurance of the Director of Public Instruction to the contrary. The Government should therefore, as already requested by previous speakers, issue circular instructions to the effect that the same text-books should continue for five years, and in this connection he also requested that the time limit prescribed in respect of certain text-books be extended from three to five years. He heartily endorsed the opinion of the Director of Public Instruction that the text-books followed in schools in urban areas should not automatically be followed in schools in rural areas also, without reference to the interest attaching to the contents of the books, from the point of view of the pupils.

Mr. S. P. RAJAGOPALACHARI replied that Government would examine whether things were really so bad as were represented and that circular instructions to all the School Boards would be issued to see that text-books were not changed frequently.

No. 54.—Text-books in Schools not to be changed often.

Mr. H. A. DEVE GOWDA (Chikmagalur Taluk).

As the text-books in schools are being changed every year, and sometimes in the middle of the year, the expenses towards education tend to increase. It is therefore prayed that action may be taken to discontinue the changes in text-books.

Not discussed. (*Same as Representation No. 53.*)

No. 55.—Utilisation of a portion of the Sports Funds of Middle Schools for allowances to Drill Masters of High Schools for utilising their services to middle schools, etc.

Mr. V. VENKATASWAMY CHETTY (Chikballapur Municipality).

Mr. V. VENKATASWAMY CHETTY prayed that permission be kindly accorded to the Director of Public Instruction to utilise a portion of the sports funds of the middle schools for giving allowances to Drill Masters of high schools and utilise their services for middle schools also.

In explaining the view of the department on the question, at the outset, the DIRECTOR of PUBLIC INSTRUCTION (Mr. M. Sultan Mohiyuddin) stated that there would be no objection in principle to giving allowances to Drill Masters of high schools from the sports funds of middle schools as suggested in the representation. But the main difficulty, he said, was that there were full-time Drill Instructors attached to high schools, and their work commenced mainly after 4-30 P.M. each day. These Instructors conducted physical exercises, organized games and other physical activities. If they were to be given work in middle schools also, they would have to carry on similar activities there during the same hours. This obviously would mean division of time between two schools; and while the Instructors would get extra allowances, their work would not be satisfactory in either of the schools. For this reason, it would not be desirable to entrust the Drill Instructors of high schools the same kind of work during the same hours in middle schools also. The department was considering a comprehensive scheme under which a few members of the tutorial staff of each middle school having special aptitude in this line would receive a course of special training similar to that given in the Y.M.C.A. Summer School, the National High School Summer Course, etc., and, after such training, these teachers would be given some allowances and entrusted with the physical education of the children in their respective schools. That arrangement would be more effective than even the appointment of full-time Drill Instructors for middle schools.

Mr. M. SUBBIAH enquired whether by appointing one special teacher for each school, the department could not arrange for pupils being trained in both scouting and physical culture.

Mr. M. SULTAN MOHIYUDDIN replied that all Scout-masters would not have undergone any systematic training in physical culture.

Mr. K. L. NANJAPPA NADIG asked whether it would not be feasible to include physical education as a regular part of the U.G.T. training.

Mr. M. SULTAN MOHIYUDDIN replied that that was going to be done in future.

Mr. W. H. HANUMANTHAPPA referred to the large amounts which remained at the credit of sports funds of middle schools and asked why such large amounts should have been allowed to accumulate and whether those who contributed towards the funds were deriving any sort of a return therefor. And, seeing that there were plenty of funds available, he suggested that at least for providing drill exercises to pupils in all the middle schools the department must make up its mind to draw the necessary amount of money from that source. It was a matter for satisfaction to the House to hear from the Director of Public Instruction that the department was formulating a scheme in this behalf, but the speaker did not think that physical education of boys and girls need be held up till such time as that scheme matured. Personally he would be thankful if a beginning was made at once with the help of the funds at the credit of the sports funds. There was no justification for continuing to levy sports fees from all the pupils without providing sports for even a few among them. The present position, he said, was anything but satisfactory because few schools, if any, had play-grounds attached to them. It was the duty of the Education Department to provide play-grounds for all schools and provide also suitable physical education and a number of games to meet the demand from all the pupils concerned.

Mr. T. MARIYAPPA said that this was a matter deserving of the first attention of Government. Students of to-day were the citizens of to-morrow, and from this point of view it was a matter for regret that Government had not paid any attention to the physical training of students. He would request Government to depute an officer to Poona to study all the arrangements which had been made there for the physical education of all pupils in all grades of schools. There was, for example, a

wrestling house attached to each school and the work of these was being watched with interest by the educational authorities of the place. Professors from the Fergusson College would go to these wrestling houses and train not merely teachers but also pupils—both male and female—in wrestling, in sword-play, club swinging, etc., so that any school-going girl was able to defend herself in any emergency. The speaker was at a loss to know why it was that Government in Mysore went on neglecting this side of the education of the future citizens of the State. He appealed to them to no longer neglect it but to institute a regular course of physical training from the middle school up to the college course, and make it compulsory for all. He thought that it would be well if musketry training was also included in such a course of training, but would be content if a beginning was made with ordinary physical training immediately, particularly for the reason that the education as at present provided was such as to train the intellect only; but intellect was not going to save the country in the years to come unless it was also accompanied by strength and stamina of the physical frame.

The FIRST MEMBER (Rajamantrapravina S. P. Rajagopalachari) replied that Government were convinced that something should be done in regard to this matter and that suitable arrangements would soon be made, if possible, by combining drill with scouting.

Mr. A. VENKATESIAH remarked that consideration of this important question should have been over ere now, specially because physical training had been made compulsory in the S.S.L.C. course. He requested that immediate steps be taken in the matter without any further delay.

Mr. S. P. RAJAGOPALACHARI stated that consideration was certainly over but that the main difficulty was that trained teachers were not available. This was the reason why the question now engaging consideration was whether drill exercises as well as training in scouting could not be combined and entrusted to Scout-masters; and whatever be the mode of decision on this question, the House might rest assured that some effective action would certainly be taken to see that the object underlying this representation was achieved very soon.

Mr. U. L. RAMACHANDRA RAO requested that till action as proposed was taken, the levy of sports fees might be suspended in all middle schools.

Mr. A. N. RAMA RAO suggested that as part of the action proposed to be taken, the Government should pass orders that a Drill Instructor should be appointed for each middle school.

Mr. A. VENKATESIAH supported this suggestion.

Mr. S. P. RAJAGOPALACHARI replied that this question was also engaging attention.

No. 56.—Revival of the Second Grade College at Shimoga.

Mr. Nawab SHER KHAN (Minorities).

Mr. Nawab SHER KHAN prayed that the II Grade College be revived at Shimoga, and in doing so, he represented that the colleges maintained at Bangalore and Mysore at great cost were not of any great help to the District of Shimoga which was situated in a remote corner of the State. In the case of the Bombay University, because the headquarters was far away, a II Grade College had been located in the Dharwar District of the Bombay Presidency. The people of the Shimoga District could not afford to make use of the colleges affiliated to the University of Mysore, on account of distance, and so they were sending their children to the college in the Dharwar District. It would be a desirable step if the University of Mysore also established II Grade Colleges in all the corners of the State, with a view to enabling sons and daughters of the poorer subjects of His Highness to derive the benefits of higher education. In the case of Shimoga in particular, representations were being made for a long time past that a II Grade College be opened at that place. If this request was acceded to, the college would benefit pupils not only from the Shimoga District but also those coming from the Kadur and Chitaldrug Districts. The number of

students from all the three districts would doubtless justify the opening of a college at Shimoga. The question was agitating the minds of all people of the district and a resolution in its favour had been passed by the district conference without even a single dissentient voice. Separate representations had also been made to the Government on a number of occasions. Taking all these facts into account, he appealed to the Government to accept this representation.

The FIRST MEMBER (Rajamantrapravina S. P. Rajagopalachari) stated that for the present it was not possible to revive the Shimoga College. All the concerned departments and other authorities had been consulted in the matter and each one of them had expressed the opinion that there was no real need for a college there. Besides, the establishment of any fresh college would necessitate the amendment of the University Act and this, in the opinion of Government, did not appear to be necessary.

Mr. Nawab SHER KHAN requested that Government might at least consult the University once again on this question.

Mr. S. P. RAJAGOPALACHARI replied that consultation was not really called for.

Mr. L. VEMA REDDY urged that so long as the University was run with the help of revenues raised from raiyats in all parts of the State, it was the duty of Government to provide sufficient educational facilities for children of raiyats in all parts of the State, and that no district, at any rate no frontier district of the State, should any longer remain without at least a II Grade College for itself.

At this stage the House adjourned for lunch and reassembled at 3-30 p.m.

No. 57.—Introduction of the Wardha system of Education.

Messrs. N. G. RUDRAPPA and **BASAPPA** (Shimoga Taluk); **L. SIDDAPPA** and **K. G. VEERAPPA GOWDA** (Channagiri Taluk); **Patel LINGAPPA** and **Jegada SIVARUDRAPPA** (Honnali Taluk); **Suranagi SIDDABASAPPA** and **B. KADAPPA** (Shikarpur Taluk); **GURUNATHA KRISHNA NADIGA, Kolagunasi HOLEYAPPA** (Sorab Taluk); **Vakil VENKATAGIRI RAO** and **Kanle VENKATAGIRI RAO** (Sagar Taluk); **Kumbatti BYRA NAIK** (Nagar Taluk); **Tudki RAMANNA GOWDA** and **S. SUBBA RAO** (Thirthahalli Taluk); **K. GADLABASAPPA** (Kumsi Sub-Taluk); **Nawab SHER KHAN** and **N. HANUMANTHAPPA** (Minorities); **Bhupalam CHANDRASEKHARAIYA** (Shimoga Municipality); and **Puranada KOTRAYYA** (Shikarpur Municipality).

Mr. N. G. RUDRAPPA prayed that the Wardha system of education with suitable alterations be introduced in all the primary schools in the State.

Mr. G. RAJAGOPALACHAR, in supporting the representation, explained that the special feature of the Wardha scheme was that it combined vocational training with general education. The vocational training to be imparted to each child was to be fixed with reference to its own inclinations and to the cottage industries for which the particular area or locality might be noted. This scheme had been subjected to criticism in certain quarters as being too costly. But according to the report of the Zakir Hussain Committee, the scheme could be made self-supporting in course of time by the sale of articles manufactured in the school itself. Purely academic education had not helped in the solution of the unemployment problem which was assuming alarming proportions. By making a beginning in the direction of imparting vocational education in the primary stage itself, the authorities would be enabling boys and girls to realise the dignity of labour and in course of time to eke out their livelihood in their own respective places. Thus the scheme would be specially helpful to children in rural parts. The speaker therefore urged the introduction of such scheme in Mysore as early as possible.

The FIRST MEMBER (Rajamantrapravina S. P. Rajagopalachari) explained that the feasibility of introducing the Wardha scheme of education was being examined by the Special Committee on Primary Education which had been appointed by Government some time back. The Department of Education was also considering the same question

independently. The reports and recommendations of these two bodies were expected to be submitted to Government at an early date and necessary action would be taken thereon, perhaps after apprising the Assembly of the said recommendations.

Mr. T. MARIYAPPA suggested that the scheme might be introduced as an experimental measure in one or two district headquarter schools and the results watched.

Mr. S. P. RAJAGOPALACHARI replied that as stated, the question in all its aspects was already under consideration.

No. 58.—Primary education to be made compulsory in places where primary schools are established.

Mr. H. A. DEVE GOWDA (Chikmagalur Taluk).

Mr. B. P. BASAPPA SETTY who moved the representation stated that the villagers, being themselves illiterate, were very indifferent in the matter of sending their children to schools. He therefore prayed that primary education be made compulsory in all the areas served by primary schools. In his opinion, this would be an effective mode of banishing illiteracy in the State. He also hoped that introduction of compulsion in the areas where schools already existed would not involve extra cost. And even if it involved extra cost, he requested that that should not be allowed to stand in the way of the representation being given effect to.

The FIRST MEMBER (Rajamantrapravina S. P. Rajagopalachari) explained that this question also was engaging the attention of the Special Committee, and that necessary action would be taken on receipt of their report. As regards the suggestion to introduce compulsion in the existing schools, he said that even that was sure to entail extra expenditure. There was a large number of single-teacher schools in existence at present, and if compulsion was introduced, the number of pupils would naturally be very much larger and the staff would necessarily have to be increased all at once. This, therefore, was a question of funds and would have to be examined in detail before committing Government to any particular course of action.

Mr. T. SYED KHAJA PEERAN SAHIB pleaded that the experiment in question should be tried in the malnad. He reminded Government that in the Kadur District alone as many as 192 primary schools had been abolished recently on the ground of poor attendance. If the element of compulsion had been introduced, there would have been no occasion for abolishing the schools at all.

Mr. KRISHNA RAO GANESHA RAO GURUJAR was of opinion that the mere introduction of compulsion could not banish illiteracy in the malnad. The main difficulty in the malnad was that the teachers would not stick on to their jobs. He therefore prayed that in addition to the element of compulsion being introduced, the Central Recruitment Board should make a careful selection and appoint as teachers only such men as were likely to stick on so that the schools could work uninterruptedly.

No. 59.—House-keeping training for girls.

Srimathi R. KALYANAMMA (Women's Interest).

Srimathi R. KALYANAMMA represented that under the existing system of education, which gave the same kind of training to both boys and girls, such of the girls as discontinued their studies after the S.S.L.C. course were not deriving much benefit. In order to make education more useful for such girls, she prayed that provision should be made, as an experimental measure in one or two places, for imparting training in house-keeping, *i.e.*, in subjects like home-nursing, home-medicine, etc. Such a provision was to be found in some of the Mission Schools and it had been tried with great success in some of the schools in the Bombay Presidency. If the existing system of education was so re-modelled as to become useful for every-day purposes, she had no doubt that girls would take to education in much larger numbers.

Mr. Rayara KEMPANNA complimented the mover for having moved

such a useful representation. He observed that at present, many an educated girl was found to be deficient in the matter of house-keeping including cooking and that it was very necessary to re-model girls' education on the lines suggested by the mover.

Mr. L. VEMA REDDY stated that a vast majority of girls stopped with a pass in the middle school examination and it was necessary to give them sufficient training in house-keeping before that stage was over. Such training should include not only cooking but other items like keeping the house tidy, care of children, thrift, etc., which were equally important. He appealed to the Government to view this representation with special sympathy.

Mr. TIPPU SULTAN ALI KHAN was also of the opinion that the system of education as at present imparted to girls needed over-hauling. Nursing should form one of the principal subjects of study, as present-day girls did not know how to bring up children properly. He said that such deficiencies should be made up before the Government acceded to any demand on the part of women for increased rights and responsibilities.

The DIRECTOR of PUBLIC INSTRUCTION (Mr. M. Sultan Mohiyuddin) pointed out that the principle underlying the representation had already been accepted and acted upon by the Government inasmuch as there was provision in the existing curricula of studies for middle schools for girls, for teaching subjects like domestic economy, needle-work, music, etc. In the high school grade also, domestic science and music had been provided for. House-keeping, which was prominently referred to by more than one member, was one of the subjects included in what was comprehensively known as domestic science.

Proceeding, **Mr. SULTAN MOHIYUDDIN** stated that the committee appointed by Government for considering the question of the reorganization of education had prepared a scheme in which different types of schools to answer the various social and economic requirements of the country were recommended to be opened. For instance, there were to be for boys, schools providing mainly instruction in carpentry, weaving and other subjects of an industrial type, and also schools not only with a definite agricultural bias but of a regular agricultural vocational type. Similarly for girls, schools with courses in domestic arts and sciences were envisaged. It would thus be clear to the House that the department was already moving in the direction indicated by the mover of the representation, and he hoped that within a reasonable time, the Department would be able to organize definitely vocational courses specially suited for girls.

No. 60 —Expansion of girls' education in the State.

Srimathi D. SAKAMMA (Women's Interest).

Srimathi D. SAKAMMA represented that the progress achieved in the matter of girls' education in the State was not satisfactory and that the children, particularly of the poorer classes, needed much larger facilities than at present, at least so far as middle school education was concerned. There were only 2 hostels for girls in the entire State, one at Bangalore and the other at Mysore In all other places in the State there were no separate hostels for girls and, generally, they could not seek admission in the general hostels. As mere primary education could not equip the girls with all the required knowledge, it was necessary for them to obtain at least middle school education. As young girls could not be expected to go to distant places for receiving education and in view of the fact that this question was being pressed on the attention of Government for long, she prayed that more middle schools for girls be opened in the State

The FIRST MEMBER (Rajamantrapravina S. P. Rajagopalachari) replied that Government would consider what action could be taken to meet the wishes of the mover.

No. 61.—Construction of school buildings from Panchayat funds.

Messrs. Venkalpathi THIMMIAH and **Patel MALLAPPA** (Chitaldrug Taluk);

T. SHADAKSHARAPPA and D. SIVASANKARIAH (Challakere Taluk); K. KENCHAPPA and B. SITHARAMIAH (Hiriyur Taluk); GOWDA ESWARAPPA of Doggana and GOWDA ESWARAPPA (Holalkere Taluk); Patel CHANNAPPA and GOWDA SIVAPPA (Davangere Taluk); Patti BASAPPA and KAMAREDDI MALLAPPA (Molakalmuru Taluk); J. S. MAHALINGAPPA and MALKAPPA (Jagalur Taluk); Alampalli NANJUNDA SETTY and P. S. DORASWAMI NAIDU (Hosadurga Taluk); BASAPPA *alias* ROGAPPA (Harihar Sub-Taluk); M. GURUSIDDAPPA (Davangere Municipality); S. RANGA RAO (Chitaldrug Municipality); MAHOMED USMAN SAHIB (Harihar Municipality); C. H. ABDUL RAZAK, SYED MOHIDEEN HUSSAIN and A. BHEEMAPPA NAIK (Minorities).

Mr. T. SHADAKSHARAPPA represented that while panchayat funds were being utilised for various purposes not contemplated in the Panchayat Act, they were not being permitted to be used for construction of and repairs to school houses. Every time a school was asked for by the people, it was usual for the department to ask the villagers to provide not only the necessary accommodation for the school itself but also residential quarters for the teachers. But owing to the continued economic depression, the villagers could not afford to meet this requirement. This was the reason why representations were being made year after year for permission to utilise a portion of the panchayat funds for construction of school houses. Though the Government had often promised to consider the request, nothing had been done to grant the same. He therefore prayed that the Village Panchayat Rules be suitably amended so as to enable the panchayat funds whenever available, being diverted for construction of school houses, just as railway cess collections were sometimes permitted to be utilised for construction of roads and such other non-railway purposes.

Mr. K. KENCHAPPA explained that there was a section in the Village Panchayat Act which permitted of the use or the panchayat funds for construction of schools in certain circumstances. All the same, the resolutions passed by the panchayats on the strength of the section were not being approved by the Revenue Commissioner who had latterly issued a circular which in effect nullified the provision contained in the Act itself. He prayed that these circular instructions be abrogated, so that at least such of the panchayats as could afford it might be permitted to utilise their funds for providing school-houses. As regards the other panchayats, he suggested that permission might be given to hold schools in the panchayat halls, as these latter were being used only once in three or four months for holding meetings. After referring to the financial position of panchayats in general, he said it was too much to expect the impoverished villagers to provide the cost of buildings for schools in village parts while the Government themselves were providing costly buildings for schools in cities and towns of which the residents were richer folk. The member then proceeded to bring to the notice of the House that even in cases where poor villagers agreed to construct a building for locating a school, the Department of Education insisted on quarters being provided by the villagers for the teachers. And if this was not agreed to or delayed, the department would decide against the opening of the school itself. He requested that people in rural parts should not be taxed in all these ways. Lastly, he urged that instructions be issued to the revenue authorities that resolutions passed by village panchayats ought not to be treated with scant courtesy as at present.

Mr. S. C. MALLIAH, who spoke next, opposed the representation. He said that house taxes which formed the bulk of the revenue of the panchayats were meant for specific purpose, *viz.*, improvement of sanitation, public health and drainage, construction of village roads, etc., and should not be spent for other purposes. While admitting the necessity for schools and school buildings, he reminded the House that the villagers were paying to Government a special cess exclusively for educational purposes and that therefore it was the Government's duty to provide schools and school buildings wherever required.

Even as matters stood, panchayat funds could not be spent on school buildings without prejudice to essential activities in the direction of public health and sanitation, etc. These activities were not receiving adequate attention, drainage was neglected in most villages and consequently, diseases like malaria were on the increase. There were no roads from village to village or linking the villages with provincial roads. Drinking water wells were required perhaps in most of the villages and there were a host of other wants and grievances to be redressed. And the funds at the disposal of several of the panchayats were too inadequate for all these purposes. Such being the position, he said it would be unwise to fritter away the funds of village panchayats on school buildings. He feared that by diverting village panchayat funds for purposes for which they were not intended, the entire scheme of rural development would receive a serious set-back. He therefore begged of the Government not to accept this representation.'

The SECOND MEMBER (Rajamantrapravina N. Madhava Rau), replying to the discussion, pointed out that as stated by the previous speaker the panchayat funds were meant to be utilised primarily in the discharge of certain obligatory duties specified in the Act. There were very few panchayats with adequate funds to discharge even such duties as providing roads, drains, sanitation and conservancy; and if their revenues were allowed to be diverted for providing school buildings and attending to such other optional duties, the discharge of the normal or obligatory duties was bound to suffer. And, even if they were willing to contribute funds for optional items, it was certain that they would not find more than a few hundreds, so that nobody could be benefited to any large extent thereby. Education, no doubt, was one of the optional duties of village panchayats. So also were some other items like medical relief, etc. If, on that score, a panchayat proposed to build a dispensary, that would be clearly exceeding its means. That was why the Government were following a policy by which the panchayats were not being allowed to take up responsibilities which they were unable to discharge. This did not mean that Government were indifferent to the educational needs of the villages. There was a separate local education authority for each district, whose sole duty it was to provide for the expansion of elementary education in the localities in their charge. Government were giving a separate grant to every such authority towards the cost of primary education, and the question of augmenting that fund was also under their active consideration. If any other body interfered with the educational work, it was sure to lead to confusion, and difficulties in the allotment of funds might also crop up.

So much for the general policy with regard to the utilisation of village panchayat funds for educational purposes. In special cases, however, if a particular panchayat had surplus funds and the educational progress in the village was not satisfactory, it was up to Government to make an exception and permit the panchayat to utilise a part of its funds towards educational purposes. But the special circumstances of such cases should be proved before such permission was granted. If this was done and the panchayat submitted a resolution, Government would have no objection to approve of it.

Mr. A. BHEEMAPPA NAIK pointed out that even in such exceptional cases, the rules laid down that not more than 10 per cent of the revenue could be utilised for optional items. He requested that that rule be suitably relaxed so as to permit of liberal grants being made by the panchayats in cases where they could do so without prejudice to their obligatory duties.

Mr. N. MADHAVA RAU replied that it was merely a working rule and that if funds were available, the limit might be exceeded. Supposing, for example, a suggestion to locate a school in the panchayat hall came up for consideration and the panchayat hall was available, there would be no objection to locating the school there without prejudice to the normal work of the panchayat concerned. The only aim of Government was that the object of

constituting village panchayats should not be defeated on account of their undertaking activities of an optional character beyond their means.

Mr. G. MALLANNA said that he was altogether opposed to the principle of diverting panchayat funds for educational purposes, even in exceptional circumstances, as it might indirectly necessitate the raiyats having to pay a second cess to the panchayats for educational purposes.

Mr. N. MADHAVA RAU admitted the force of this contention. He further instanced the case of certain duties and responsibilities which had been assigned to district boards and said that these bodies alone should shoulder them. If, in such cases, district boards were to shove them on to the village panchayats or if the panchayats were to encroach upon the jurisdiction of the district boards, it would necessarily lead to confusion, and the very basis of the allotment of the revenue resources between the two sets of local bodies would disappear.

No. 65.—Abolition of school fees up to S.S.L.C. course.

Mr. S. VENKATASWAMI GOWDA (Malur Taluk).

Mr. S. VENKATASWAMI GOWDA prayed that the levy of school fees up to the S.S.L.C. course be abolished as in western countries. He said that while the percentage of literacy in western countries was 95, it was so low as 5 per cent in Mysore. If Mysore should make rapid progress in literacy, it would become possible only by making it entirely free up to the college course. He also pointed out that the loss involved on this account could be met from the savings accruing to the State as a result of the reduction under subsidy. In making this representation, he said, his only object was that no distinction should be made as between the rich and the poor and that everybody should be enabled to enjoy the benefits of education.

Mr. K. RAMASESHA SASTRY, in supporting the representation, brought to notice that free-studentships in high schools, including municipal high schools, had been reduced from 20 per cent to 10 per cent so that relief in the direction suggested was urgently needed. If, however, that could not be done, he requested that at least the percentage of free-studentships be raised to the original level.

The FIRST MEMBER (Rajamantra pravina S. P. Rajagopalachari) said that he was somewhat surprised at this representation, coming as it did at a time when it was being seriously suggested in certain quarters that fees should be re-imposed in middle schools. Even apart from that, he regretted that owing to the financial implications involved in the suggestion, it was not possible for Government to accept the representation.

No. 66.—Reduction of school fess in High Schools and Colleges.

Messrs. Venkatpathi THIMMIAH and **Patel MALLAPPA** (Chitaldrug Taluk); **T. SHADAKSHARAPPA** and **D. SIVASANKARIAH** (Challakere Taluk); **K. KENCHAPPA** and **B. SITHARAMIAH** (Hiriyur Taluk); **GOWDA ESWARAPPA** of Dogganal and **GOWDA ESWARAPPA** (Holalkere Taluk); **Patel CHANNAPPA** and **GOWDA SIVAPPA** (Davangere Taluk); **Patti BASAPPA** and **KAMAREDDI MALLAPPA** (Molakalmuru Taluk); **J. S. MAHALINGAPPA** and **MALKAPPA** (Jagalur Taluk); **Alampalli NANJUNDA SETTY** and **P. S. DORASWAMI NAIDU** (Hosadurga Taluk); **BASAPPA** *alias* **ROGAPPA** (Harihar Sub-Taluk); **M. GURUSIDDAPPA** (Davangere Municipality); **S. RANGA RAO** (Chitaldrug Municipality); **MAHOMED USMAN SAHIB** (Harihar Municipality); **C. H. ABDUL RAZAK, SYED MOHIDEEN HUSSAIN** and **A. BHEEMAPPA NAIK** (Minorities.)

Mr. Venkatpathi THIMMIAH prayed that, as the fees in high schools and colleges were very heavy, they might be reduced by one-half.

(*Not discussed in view of the discussion on Representation No. 65* supra.)

No. 67.—Increasing the pay of Primary School Masters.

Mr. K. VENKATARAMAIAH (Arkalgud Taluk) and all the other members of Hassan District.

The pay of primary school masters is very low and it is very hard for them to maintain themselves in these hard days. It is prayed that their initial pay

may be fixed at Rs. 20 per mensem and facilities for their rise up to Rs. 50 per mensem provided by fixing a time-scale as in other departments of the State.

No. 68.—Fixing the minimum pay of School Teachers at Rs. 20 per month.

Messrs. Rayara KEMPANNA (Bowringpet Taluk) and **M. MADDIAH** (K. G. F. Sanitary Board Area).

It is prayed that the minimum pay of teachers in Mysore State be fixed at Rs. 20 so as to relieve them of their difficulties and to encourage the development of education.

No. 69.—Enhancement of the existing pay of Primary School Teachers.

Messrs. B. CHOODE GOWDA and **M. B. GURULINGIAH** (Closepet Taluk); **T. THIMMARAYAPPA** and **Patel HONNASIDDAIYA** (Magadi Taluk); **T. MADIAH GOWDA** and **M. SIDDE GOWDA** (Channapatna Taluk); **C. N. NARASINGA RAO** (Bangalore City Municipality); **K. NARAYANA SETTY** (Magadi Municipality); **S. KARIAPPA** and **Gurukar VENKATARAMANE GOWDA** (Kankanhalli Taluk); **A. M. VENKATASAMIAH** (Closepet Municipality); **B. M. MUNISWAMAPPA** and **N. APPANNA REDDY** (Bangalore Taluk); **A. HANUMANTHARAYAPPA** (Devanhalli Taluk); **H. S. SURYANARAYANA RAO, K. T. BHASHYAM AIYANGAR, V. VENKATESAIYA** (Special Interests); **Patel HANUME GOWDA** (Dodballapur Taluk); **B. MALLAPPA** and **A. M. CHANNAMARE GOWDA** (Nelamangala Taluk); **K. P. PARASIVIAH** (Kankanhalli Municipality); **S. SHARABHANNA** (Anekal Taluk); **Shampur PAPANNA** and **S. MUNIVENKATAPPA** (Minorities).

Mr. B. CHOODE GOWDA explained that primary education was very important in a child's life. That was a stage when character was to be moulded and it was highly desirable that that sacred task was entrusted to none but the most competent teachers. But the pay fixed for a primary school teacher at present was Rs. 15 and it would be impossible for anybody to manage with, or be content with, such a low salary. He could never make both ends meet, more especially in a town where he would have invariably to pay a heavy house rent also. Seeing that every teacher was required to acquire an additional qualification by undergoing teacher's training for one year, the salary allowed at present could not but be considered too meagre. For this reason almost every teacher would undertake subsidiary occupations with a view to supplementing his income. Consequently, he would be unable to pay undivided attention to his work in the school and the cause of education as a whole would thereby suffer. For these reasons, he prayed that the minimum pay of primary school teachers be raised from Rs. 15 to at least Rs. 18.

Mr. K. L. NANJAPPA NADIG strongly supported the representation. He remarked that a schoolmaster's duties were certainly not less onerous than those of a police constable, and he was both pained and surprised that the former was given a lower pay than the latter. He pleaded that the minimum pay should be fixed not at Rs. 18 as suggested by the mover of the representation, but at not less than Rs. 20 in the case of all school masters employed not only in Government schools but also in aided schools.

The FIRST MEMBER (Rajamantrapravina S. P. Rajagopalachari) said that he had no hesitation in admitting, on behalf of Government, that enhancement of the existing pay of primary school teachers was a very important question. He also invited the attention of the House to the reference made in the Dewan's Address to the question of revising the pay of high school and middle school teachers. In view of the importance of the work on which teachers were employed, Government were well aware of the desirability of improving the salaries of primary school teachers as well. But it would not be correct to say that all primary school masters were getting only Rs. 15 per month. There were 4 different grades of pay for them, *viz.*, Rs. 15, Rs. 17, Rs. 20, and Rs. 20–1–25. But the number of these teachers for the entire State being very large, the additional expenditure involved even in a small increase of their pay would be very considerable. For this reason, Government had proposed to solve the problem stage by stage.

ONE MEMBER requested that the question of giving increased pay to teachers in primary schools be taken up for first consideration as that was more urgent than the question of giving better grades to teachers in middle schools and high schools.

Mr. S. P. RAJAGOPALACHARI replied that the question of primary school masters was not so easy of solution, for reasons already explained. But the question as a whole was already engaging attention and orders would be passed as early as possible.

No 70.—Starting Muslim graduates on a higher grade in high schools and colleges.

Mr. KHAJI SYED YUSUF SAHIB (Minorities).

Mr. KHAJI SYED YUSUF SAHIB explained that the representation of Muslim graduates in the staff of high schools and colleges was very poor, the percentage being not more than 2. With a view to attract graduates from this minority community to the Education Department, they were formerly being started on an initial salary of Rs. 75 as a special case. But that practice was not being followed for some time past. He prayed for its revival so that it might act as a fillip for the entry of Muslim graduates into the teaching line.

Mr. Bhupalam R. CHANDRASEKHARAIYA proposed an amendment to the representation by substituting the words "graduates from unrepresented communities," for the words "Muslim graduates" for the reason that it would be more equitable to extend special treatment to all unrepresented communities and not merely to Muslims.

Mr. A. BHEEMAPPA NAIK strongly supported this view.

In this connection, **Mr. A. VENKATESAIYA** invited attention to the view of the University as embodied in the reply to Question 57 on the agenda, *viz.*, that recruitment to the tutorial staff of the University should never be made purely on communal grounds.

The DIRECTOR of PUBLIC INSTRUCTION (Mr. M. Sultan Mohiyuddin) explained that under the Central Recruitment Board rules, graduates could be taken in Class I vacancies on a starting salary of Rs. 35 only. In high schools, however, they could be appointed as teachers on Rs. 45 pending confirmation in the grade of Rs. 50-4-70. Some of the vacancies in high schools were filled by promoting teachers working in middle schools, the consequential vacancies in middle schools being filled up by direct recruitment. Whenever vacancies in high schools were filled up by recruitment, Muslim graduates took their chance along with graduates of other backward communities. But it would not be possible to give Muslim graduates a higher pay for the only reason that they happened to be Muslims. If, however, any special cases came up for consideration, in which the persons concerned possessed very high qualifications, or where Muslim graduates alone were required and they were not available for the starting pay fixed under the rules, the department might send up special recommendations to Government for giving them a higher start so as to attract persons with the qualifications required.

No. 71.—Removing the impression that the Banajaras are thieves.

Mr. JATHARE NAIK (Minorities).

Mr. JATHARE NAIK represented that in the 7th lesson in the Kannada III Reader prescribed for schools, it was stated that the Banajaras were thieves, that the Police had an eye on them, that some of the members of that community were even to this day committing big plunders and were a menace to the people and that it could not even now be said that thieving tendency in them had stopped. He stated that such a statement in regard to the Banajara people who in the model State of Mysore were reformed, was very degrading and would create a loathsome feeling about them. He therefore prayed that the said statement be ordered to be revised immediately.

The DIRECTOR of PUBLIC INSTRUCTION (Mr. M. Sultan Mohiyuddin) explained that all the text-books were got revised in 1937 and that the revised edition of the Reader referred to contained no chapter on Banajaras at all.

Copies of the old edition had all been withdrawn and it was only the new edition that was in use at present. The mover had therefore no ground for complaint.

No. 74.—Increasing the number of scholarships to backward communities in middle schools.

Mr. K. L. NANJAPPA NADIG (Krishnarajapet Taluk).

Mr. K. L. NANJAPPA NADIG represented that the number of scholarships that were being allotted to the middle schools in the taluks was very small. Generally, there were 6 or 7 middle schools in each taluk wherein boys belonging to all communities were studying. It was difficult even for boys belonging to very much backward classes to obtain scholarships. Taking the case of one taluk, *viz.*, Krishnarajapet, he pointed out that for all the 7 schools in that taluk, only 8 scholarships had been allotted. Three years ago, as many as 17 scholarships were available. In these circumstances he prayed that arrangements be made for increasing the number of scholarships, keeping in view the number of students of backward communities studying in such middle schools.

In supporting the above representation, **Mr. B. L. BYANNA** said that in his long experience as member of a scholarship committee, he had found that many deserving applications had to be rejected for want of provision. Because of the extremely limited number of scholarships, it had become very difficult to give them to all the deserving applicants. Very often, the scholarship committee had to recommend to the Director of Public Instruction special cases for the grant of extra scholarships out of lapsed scholarships, if any. He was definitely of the opinion that unless the grant for scholarships was increased substantially, it would not be possible to do justice by all deserving cases.

Mr. Rayara KEMPANNA said that a mere increase in the number of scholarships would not by itself meet the needs of the situation but that the personnel of the scholarship committees also required to be improved. He alleged that committees, as at present constituted, were generally partial to students coming from towns as well as those of well-to-do families, and that really poor students from the villages were not receiving help at their hands.

Mr. B. L. BYANNA refuted the allegation and said that about 75 per cent of the scholarships were being given to poor boys coming from rural parts, only the balance going to help the most deserving of pupils from the towns and cities.

The DIRECTOR of PUBLIC INSTRUCTION (Mr. M. Sultan Mohiyuddin) pointed out that increasing the number of scholarships was mainly a question of funds. If the middle school scholarships were to be increased, it would necessitate a corresponding increase in the number of high school scholarships also. As a matter of practical politics, he asked if the Assembly would agree to a reduction in the number of scholarships allotted for high schools with a view to increasing the allotment for middle schools. He felt that it would not be advisable to do so for the reason that the expenses so far as pupils in high schools were concerned were heavier. The number of scholarships in that grade should, on the other hand, be increased and not reduced.

As regards the scholarship committees, which were referred to during the course of the discussion, he explained that each district had a separate committee, the members of which were selected, as far as possible, from various taluks. He did not believe that there was scope for making the committees more representative than at present. Even as regards distribution of scholarships, he had reason to believe that it was being done on a just and equitable basis and in accordance with the suggestions of the headmasters of the various schools concerned.

Mr. T. L. GANGOJI RAO SALANKEY put up a special plea for students of the Mahratta community and prayed that they be shown as a distinct unit for purposes of backward class scholarships instead of being clubbed with several other communities.

The FIRST MEMBER (Rajamantrapravina S. P. Rajagopalachari) explained

that Government had allotted a sum of Rs. 1,25,000 for backward class scholarships out of which Rs. 50,000 had been earmarked for the University and the balance of Rs. 75,000 for middle and high schools. The question of enhancing the grant was a matter of educational policy, which the Government would consider in due course. The Member regretted that it was not possible for him to say anything more definite.

No. 94.—Coloured box system for recording votes in the Assembly and District Board elections.

Messrs. M. RAME GOWDA (Chintamani Taluk) and **R. B. SIDDABASAVARADHYA** (Chintamani Municipality).

Mr. M. RAME GOWDA represented that the existing system of taking votes in boxes in respect of District Board and Representative Assembly elections afforded scope for committing many frauds and caused much delay in the taking of votes, as many of the voters were illiterate and had to take the help of the polling officer in the course of recording their votes. As things stood, succeeding in elections was as difficult as swimming across the ocean. He prayed that the procedure might be simplified by substituting the coloured box system, as in Madras, and that the election rules in this behalf be amended, if necessary.

Mr. Rayara KEMPANNA explained that only 5 per cent of the voters in Mysore being literate, they actually needed to be led to the polling booths by canvassers. As this might give scope to the canvassers to take undue advantage of the ignorance of the voters and gain their own ends, he supported the suggestion to adopt the coloured box system so that no irregularities might be committed in any case.

Mr. T. MARIYAPPA suggested that the question might perhaps be referred to the Constitutional Reforms Committee which was already sitting.

Messrs. GURUSWAMI GOWDA and **H. M. CHANNABASAPPA** also were of the opinion that no scope should be given for irregularities to occur in connection with elections, and that this could best be done by introducing the coloured ballot box system.

The FIRST MEMBER (**Rajamantrapravina S. P. Rajagopalachari**) replied that the suggestion would be considered.

No. 95.—Division of taluks into circles for purposes of election to the Representative Assembly and the District Boards as obtaining in the Madras Presidency.

Mr. N. SONNAPPA (Chikballapur Taluk).

Mr. N. SONNAPPA moved that arrangements be made to divide each taluk into circles for the purpose of electing members of District Boards as well as of the Representative Assembly on lines similar to those obtaining in the Madras Presidency.

The FIRST MEMBER (**Rajamantrapravina S. P. Rajagopalachari**) stated that this subject would be taken into consideration after the report of the Constitutional Reforms Committee was received by Government.

No. 96.—Increased representation for the Gangakula community in the Legislative Council, etc.

Mr. A. VENKATARAMANA BOYI (Minorities).

No. 97.—Increased representation for the Adikarnatakas in the Representative Assembly, etc.

Mr. N. HANUMANTHAPPA (Minorities).

Mr. A. VENKATARAMANA BOYI prayed that increased representation be given to the members of the Gangakula community in (1) the Legislative Council, (2) the Representative Assembly, (3) the District Boards, (4) the School Boards, and (5) the Municipalities, etc.

Mr. S. C. BELURIAH supported the representation.

Mr. N. HANUMANTHAPPA represented that the depressed classes in the State numbered more than 11 lakhs out of the total population of 65 lakhs, and in order that their needs and aspirations might come to the notice of the Government and the constitutional bodies in the State, he prayed that Government be pleased to allot 4 seats for the community in each District Board, at least 40 seats in the Representative Assembly on the basis of five members for each district, and four seats in the Legislative Council.

Messrs. HANUMANTHIAH and MADIAH strongly supported the representation.

The FIRST MEMBER (Rajamantrapravina S. P. Rajagopalachari) replied that Government would consider the representations.

No. 82.—Showing the Adikarnataka community separately.

Mr. N. HANUMANTHAPPA (Minorities).

Mr. N. HANUMANTHAPPA represented that the Adikarnatakas were now clubbed with many other communities belonging to the depressed classes both for purposes of award of scholarships and for recruitment to Government service. He prayed that his community might be shown separately so that other communities might not come in the way of its enjoying all the benefits meant for it.

The FIRST MEMBER (Rajamantrapravina S. P. Rajagopalachari) replied that Government would bear the request in mind.

No. 102.—Eligibility of women for all appointments.

Srimathi R. KALYANAMMA (Women's Interest).

Srimathi R. KALYANAMMA represented that women candidates, however highly qualified, could not secure employment in government service except in two departments, *viz.*, Medical and Education, and that, even in these departments, the starting salary paid to the women employed at present was very much less than in olden days; and all qualified women applicants were not being absorbed even on such reduced salaries. Consequently, unemployment among them was growing as fast as among men. This was why many ladies who were undergraduates were applying even for small appointments like those of primary school teachers. It was necessary to create larger scope for employing them, as otherwise all the trouble undergone by these candidates during their educational career, and all the expenditure incurred by their parents, would be a waste. In the sister States of Travancore and Cochin, women were being entertained freely in several departments. The speaker prayed that similar action be taken in Mysore also, a Government Order being passed declaring that qualified women were eligible for appointment in all branches of the State service. She considered that an order in this behalf was necessary because many appointing authorities were under a wrong impression that there was a bar against the employment of women in Government offices.

Mr. A. VENKATESIAH pointed out that he had been informed that it was the experience of many foreign countries, in which women had been appointed in Government Departments, that it was a mistake to have appointed them, and that Mysore could well profit by that experience.

Mr. Y. V. MUNISWAMI IYER also expressed the same opinion. He added that the representation appeared to be rather too ambitious in that the mover suggested that women should be declared eligible for "all appointments under Government." He wondered whether women could ever be considered fit for employment in the Police and the Military Departments also.

Mr. R. GOPALASWAMI IYER, speaking in support of the representation, pointed out that in England women, like men, had entered every walk of life without any restriction whatever. They were performing police duties, working as drivers of motor-lorries and motor cars, and discharging various other duties. He had no doubt that if the services of women were availed of more largely in Mysore also, they would prove to be as efficient and useful as men.

Mr. TIPPU SULTAN ALI KHAN said that the spirit of the representation was that there was unemployment among women also and that the problem should be solved by throwing open appointments in all departments of Government to qualified lady candidates. There did not seem to be any objection to accepting such a representation. In Turkey, for example, women were far in advance of their confreres in many other countries. They were

also undergoing compulsory military training. So far as Mysore was concerned, women might be employed in some of the departments to begin with, and in course of time he had no doubt that they would be prepared to enter service in the Police and the Military Departments also. But, he added, that even at present there was no restriction against their entry into other departments other than the Medical and Educational and hoped that if only qualified women applied for appointments in any of the Departments of Government they were likely to meet with success.

Mr. B. L. BYANNA reminded the House of the "Go back to your homes" campaign directed against women by Herr Hitler to solve the unemployment problem in Germany. All the same, he expressed best sympathies for the women of Mysore in their efforts at finding an independent living.

Mr. H. K. MADIAH supported the representation and appealed to Government to recruit qualified women as clerks in as many cases as possible. He was aware that there were lady typists and steno-typists in some of the offices already, and he hoped that they were working quite as satisfactorily as the other officials. It might be that just at present women were not quite fit for employment in the Police and the Military Departments, but there was no reason why they should not be employed in clerical appointments in all the other departments.

Mr. M. SUBBAIYA said that the grievances of women candidates could best be redressed by employing them more largely in schools, especially in primary and middle schools, wherein even now a good number of male teachers were being appointed.

Mr. G. RAJAGOPALACHAR pointed out that there was plenty of scope for the appointment of qualified women in the Medical Department. Because a sufficient number of trained women were not forthcoming, there was a paucity of nurses and midwives in the hospitals and dispensaries. Even for employment in schools, few qualified women were available. Women were eminently fitted for these two departments, wherein they could render service much more efficiently than males by virtue of their temperament and tenderness. For this reason he thought that women should think of those two departments first, and of other departments only when appointments could not be secured in the former. But so far as Police and Military were concerned, he would never agree to the appointment of women in those two departments under any circumstances.

Mr. A. BHEEMAPPA NAIK said that no disabilities should attach to women in the matter of appointment in Government service, merely on the ground of sex.

The FIRST MEMBER (Rajamantrapravina S. P. Rajagopalachari) stated at the outset that he appreciated the spirit underlying this representation. He pointed out that there was no manner of restriction operating against the employment of women in any department of the public service, nor was there any disqualification imposed by virtue of their sex. He also endorsed the statement of one of the previous speakers that there was enough scope for the employment of qualified women in the Medical and the Education Departments, and added that whenever qualified women candidates were available, they were also being actually appointed. And he concluded with the assurance that in the other departments also, qualified women would continue to be appointed as typists, etc., as and when they were available.

At this stage (5-10 p.m.) the House adjourned to meet again at 12 noon on Wednesday, 5th October 1938.]

SIXTH DAY.

Wednesday, 5th October 1938.

The House reassembled at the Jagan Mohan Palace Pavilion, on Wednesday, 5th October 1938, at 12 of the clock, Mr. President (*Amin-ul-Mulk* Sir Mirza M. Ismail, K.C.I.E., O.B.E., Dewan) in the Chair.

AMENITIES TO MEMBERS.

Before the business of the day was taken up, **Mr. K. T. BHASHYAM AIYANGAR** brought to notice certain inconveniences felt by the members who had come from the mofussil to attend the session of the Assembly. In the first place, there was paucity of accommodation in the Representatives' Home as well as in the other buildings meant for lodging the members, and three to four members were being accommodated in each room. Bathing and closeting arrangements in these buildings were not very satisfactory. Want of telephone connection in the Representatives' Home was being felt keenly. Medical help was not adequate, in the sense that a single doctor was expected to look after the members scattered over a number of buildings which were themselves not situated in one and the same locality.

As regards the facilities available in the Assembly hall itself, he felt that seating arrangements were capable of improvement. In spite of instructions from the President that separate seats be given to members of each party, and that a corridor be left open in the centre, he was sorry to say that the corridor was being blocked by certain members who shifted their seats for the purpose. The lunch arrangements were also not quite satisfactory, for the reason that the lunch tents had been pitched just by the side of the public road. He was of the opinion that very much more decent arrangements were called for in this respect.

As regards the general Visitors' Gallery, he suggested that it might perhaps be shifted to the opposite side so that visitors, most of whom seemed to watch the proceedings with keen interest, might be facing the non-official speakers. This arrangement, if accepted, would also be more welcome to ladies, since they could be accommodated in the gallery vacated by men.

Mr. L. VEMA REDDY supported the above suggestions. He added that the rear rooms in the Representative Assembly Home were too much exposed to public gaze and the verandahs thereof needed some kind of covering so that waste water dripping from the first storey might not chance to fall on members who might be standing in the verandahs.

The PRESIDENT said that he was fully aware that accommodation in the Representatives' Home was not adequate, and that the Chief Engineer would be requested to take up the question of extending the building without delay. He would be glad to see that the members, who had to stay out of their homes for many days together in connection with the sittings of the Assembly, were given all necessary comforts and conveniences including better lunch arrangements and medical attendance. He was also aware that it would be well if members had a common meeting place near their lodgings, and this would also be provided as part of the suggested improvements. The Engineering Department would also be instructed to improve the bathing and lavatory arrangements as far as possible.

As regards the seating arrangements, **the PRESIDENT** observed that the pavilion itself was not an ideal place for holding meetings of the Representative Assembly. He would however see that the best possible arrangements were made in the circumstances.

QUESTIONS AND ANSWERS—*contd.*

Police Rewards.

Q.—28. **Mr. J. P. KHANDERAYA SETTY** (Holenarsipur Taluk) and all the other members of Hassan District.